

Message Text

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ACTION NEA-05

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FOR SCS AND NEA

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REFS: BEIRUT 4280 AND PREVIOUS

SUMMARY: FOLLOWING LATEST ROUND LEGAL WRANGLINGS, IT MOST LIKELY MARGARET KAPENGA WILL BE BROUGHT TO TRIAL. ATTORNEY MATHIAS CONFIDENT CASE BEING PRESENTED IN MANNER FAVORABLE TO MARGARET AND OPTIMISTIC THAT SHE WILL BE ACQUITTED. END SUMMARY.

1. ACCORDING INFORMATION RECEIVED FROM ATTORNEY MATHIAS, EXAMINING MAGISTRATE CONCLUDED THAT, IN ABSENCE EVIDENCE MARGARET NOT AWARE CONTENTS SUITCASE, SHE MUST BE BROUGHT TO TRIAL. PROVINCIAL ATTORNEY GENERAL REVIEWED FINDINGS AND AGREED. CASE GOES NOT TO "CHAMBER OF ACCUSATION" FOR FINAL DECISION. MATHIAS BELIEVES THAT MARGARET WILL NOW DEFINITELY BE CHARGED AND BROUGHT TO TRIAL. TRIAL DATE SHOULD BE VERY SOON UNLESS CHAMBER ORDERS INDEPENDENT INVESTIGATION OF ONE "LLOSE END". MATHIAS HAS COPY MAGISTRATE'S DECISION WHICH SHE WILL FURNISH EMBASSY.

2. MATHIAS INFORMED EMBASSY OF ONE COMPLICATING FACTOR. SHE INFORMED BY EXAMINING MAGISTRATE THAT IN LAST FEW DAYS A "PERSON OF IMPORTANCE", WHOM HE UNWILLING IDENTIFY, HAD COME FORWARD TO SPEAK IN MARGARET'S

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BEHALF, EMPHASIZING MARGARET'S DEVOTION TO, AND WILL-

INGNESS TO "DO ANYTHING FOR", PALESTINIAN CAUSE.
MENTIONED THAT MARGARET HAD BEEN INVOLVED IN 1970
INCIDENT OF SMUGGLING INDIVIDUALS FROM LEBANON TO
JORDAN. (MARGARET LATER ADMITTED TO ATTORNEY THAT
THIS ALLEGATION TRUE.) EXAMINING MAGISTRATE EXPRESSED
HIS CONCERN TO MATHIAS THAT "WILLINGNESS TO DO ANY-
THING" MIGHT INCLUDE DRUG SMUGGLING.

3. MATHIAS RECENTLY RECEIVED WHAT SHE CONSIDERS
RELIABLE REPORT THAT LINDA STREET NOW HIDING IN BAALBEK,
LEBANON. SHE OPENING INDEPENDENT INQUIRY AND
HOPES FACILITATE STREET'S ARREST. OBVIOUSLY, THIS MIGHT
CHANGE CASE IN MARGARET'S FAVOR.

4. MATHIAS INTENDS CONTINUE EFFORTS EVEN WHILE CAS
BEFORE CHAMBER OF ACCUSATION. SHE BELIEVES, HOWEVER,
THAT CASE WILL MOST LIKELY COME TO TRIAL. SHE IS
PLEASED THAT MAGISTRATE'S REPORT APPEARS PRESENT CASE
IN FAVORABLE LIGHT AND IS QUITE CONFIDENT TRIAL WILL
RESULT IN ACQUITTAL.

5. RECOMMEND DEPARTMENT PASS INFORMATION CONTAINED
PARAS 2, 4 AND 5 TO FATHER (JAY KAPENGA, PENDLE HILL,
338 PLUSHMILL ROAD, WALLINGFORD, PENNSYLVANIA) AND TO
OTHERS INTERESTED PARTIES INCLUDING DR. LANDRUM BOLLING
AND SENATORS SCOTT, PERCY AND HATFIELD.

COMMENT: WHILE HOPE ATTORNEY'S OPTIMISM PROVES JUSTIFIED,
EMBASSY NOT QUITE AS SANGUINE ABOUT OUTCOME. IN ANY
EVENT WE SUGGEST IN PASSING INFO ON TO FATHER, DEPT. BE
CAREFUL NOT TO UNDLY RAISE HIS HOPES RE AN ACQUITTAL.
GODLEY

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